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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.                | CONFIRMATION NO.       |
|---|-------------|----------------------|------------------------------------|------------------------|
| 10/590,922  | 08/25/2006  | Jae-Hyuk Oh          | PA.000.05400-04-108                | 4229                   |
| 34704 7590 05/18/2009<br>BACHMAN & LAPOINTE, P.C.<br>900 CHAPEL STREET<br>SUITE 1201<br>NEW HAVEN, CT 06510 |             |                      | EXAMINER<br>COLON SANTANA, EDUARDO |                        |
|   |             |                      | ART UNIT<br>2837                   | PAPER NUMBER           |
|   |             |                      | MAIL DATE<br>05/18/2009            | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



## UNITED STATES PATENT AND TRADEMARK OFFICE

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UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

May 14, 2009

BACHMAN & LAPOINTE, P.C.  
900 CHAPEL STREET  
SUITE 1201  
NEW HAVEN, CT 06510  
US

Dear Sir/Madam,

Your refund request for 10/590,922 in the amount of \$180.00 has been denied.

All fees were calculated and accessed properly. Applicant must either make a 1.97(e)(1) statement that the references were not cited more than three months prior to the filing of the IDS, or pay the fee under 1.17(p). Applicant did not make a proper statement under 1.97(e)(1) and instead chose to pay the fee of \$180. If applicant had made a proper 1.97(e) statement and paid the fee, we could refund the money, but that didn't happen here.

If we were to refund the fee, then the IDS would not meet the requirements of the rule, since applicant did not make a 1.97(e)(1) statement

Sincerely,

/Deborah E. Dotson/  
Technical Center 1600  
571 272 0520